


UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 28-CA-255862	Date Filed 2/5/2020

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer ASARCO LLC	b. Tel. No. (520) 879-7818
	c. Cell No.
	f. Fax No.
d. Address (Street, city, state, and ZIP code) 5285 E. Williams Circle, Suite 2000 Tucson, AZ 85711	e. Employer Representative Stacy Sinele
	g. e-mail ssinele@asarc.com
	h. Number of workers employed 2,000+
i. Type of Establishment (factory, mine, wholesaler, etc.) Mine and smelter	j. Identify principal product or service copper
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) and (5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) See Attachment "A"	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS	
4a. Address (Street and number, city, state, and ZIP code) 9000 Machinists Place Upper Marlboro, MD 20772	4b. Tel. No. (301) 967-4510
	4c. Cell No.
	4d. Fax No.
	4e. e-mail
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.  (signature of representative or person making charge)	
William H. Haller, Assoc. Gen'l Counsel (Print/type name and title or office, if any)	
9000 Machinists Place, Upper Marlboro, MD 20772 Address	
Date February 4, 2020	
Tel. No. (301) 967-4510	
Office, if any, Cell No.	
Fax No.	
e-mail whaller@iamaw.org	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

ATTACHMENT A

Within the 10(b) period, the Employer, acting through its managers, supervisors, agents and representatives, has violated the Act in the following manner:

1. The Employer failed to bargain in good faith over mandatory subject of bargaining;
2. The Employer engaged in dilatory bargaining tactics;
3. The Employer's bargaining table agents and representatives lack sufficient authority to bargain over mandatory subjects of bargaining;
4. The Employer failed to timely provide relevant and necessary bargaining information;
5. The Employer unilaterally implemented its "last, best and final offer" when there was no bargaining impasse;
6. The Employer's unilaterally implemented "Copper Price Bonus" proposal discriminates against employees to discourage membership in and support for the Unions;
7. The Employer threatened to hire permanent replacement workers;
8. The Employer hired permanent replacements to replace bargaining unit employees engaged in an unfair labor practice strike;
9. The Employer solicited employees to resign their full membership from the Unions;
10. The Employer removed union literature from employee break areas; and,
11. The Employer engaged in surveillance and/or has given the appearance of surveillance of employees engaged in peaceful Section 7 activities.

INTERNET
FORM NLRB-501
(2-08)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
FIRST AMENDED CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case 28-CA-256724

Date Filed 5/19/2020

INSTRUCTIONS:

File an original with NLRB Regional Director for the Region in which the alleged unfair labor practice occurred or is occurring

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer ASARCO LLC		b. Tel. No. (520) 879-7818
		c. Cell No.
		f. Fax No.
		g. e-Mail ssinele@asarco.com
d. Address (Street, city, state, and ZIP code) 5285 E. Williams Circle, Suite 2000 Tucson, AZ 95711	e. Employer Representative Stacy Sinele	h. Dispute Location (City & State) Tucson, Arizona
i. Type of Establishment (factory, mine, wholesaler, etc.) Mine and smelter	j. Identify principal product or service Copper	k. Number of workers at dispute location 1,750+
1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (3) and 5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) SEE ATTACHMENT A		
3. Full name of party filing charge (if labor organization, give full name, including local name and number) International Brotherhood of Boilermakers, Local 627		
4a. Address (Street and number, city, state, and ZIP code) 2345 West Thomas Road Phoenix, AZ 85015		4b. Tel. No. (602) 495-1282
		4c. Cell No.
		4d. Fax No. (602) 495-1391
		4e. e-Mail jacob@boilermakers627.com
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) International Brotherhood of Boilermakers		
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. By _____ <i>(signature of representative or person making charge)</i> Address: Weinberg, Roger & Rosenfeld 1001 Marina Village Parkway, Suite 200 Alameda, CA 94501		Tel. No. (510) 337-1001
		Office, if any, Cell No.
		Fax No. (510) 337-1023
		e-Mail drosenfeld@unioncounsel.net nlrbotices@unioncounsel.net
		David A. Rosenfeld, Attorney _____ <i>(Print/type name and title or office, if any)</i> May 19, 2020 <i>(date)</i>

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